

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS J. FOX and JODI L. FOX,)	
his wife,)	
Plaintiffs)	
)	
vs.)	Civil Action No. 06-1010
)	Judge Terrence F. McVerry/
LAWRENCE COUNTY JAIL,)	Magistrate Judge Amy Reynolds Hay
Defendant)	
)	
and)	
)	
PRIMECARE MEDICAL, INC.,)	
Additional Defendant)	Re: Docs. 48, 52

ORDER

AND NOW, this 30th day of June, 2008, after the Plaintiffs, Thomas J. Fox and Jodi L. Fox, filed an action in the above-captioned case, and after Defendants filed Motions for Summary Judgment, and after a Report and Recommendation was filed by the United States Magistrate Judge which granted the parties until June 19, 2008 to file written objections thereto, and with no objections having been filed, and after an independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Defendant's motions for summary judgment are **GRANTED** as to all of the federal claims.

IT IS FURTHER ORDERED that the Court declines to exercise supplemental jurisdiction over the state law claims, which are hereby **REMANDED** to the Court of Common Pleas of Lawrence County, Pennsylvania **FORTHWITH**.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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